



PLANNING COMMISSION SUMMARY OF ACTIONS

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LBR

May 20, 2004

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PRESENT: Commissioners Alcorn, Byers, de la Fe, Hall, Harsel, Hart, Koch, Lawrence, Lusk, Wilson

ABSENT: Commissioners Hopkins, Murphy

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The meeting was called to order at 8:15 p.m. by Vice Chairman John R. Byers.

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COMMISSION MATTERS

Commissioner Hall called the Commission's attention to a memorandum distributed tonight from William Shoup, Zoning Administrator, concerning the proposed P-District Zoning Ordinance Amendment which would be discussed at the Policy and Procedures Committee meeting scheduled for Thursday, May 27, 2004 at 7:30 p.m. in the Board Conference Room.

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Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION'S PERSONNEL AND BUDGET COMMITTEE GO INTO CLOSED SESSION FOR ITS MEETING ON WEDNESDAY, MAY 26, AT 7:30 P.M., IN THE BOARD CONFERENCE ROOM, FOR CONSULTATION WITH STAFF PERTAINING TO SPECIFIC PERSONNEL AND BUDGET RELATED MATTERS OF OUR STAFF PURSUANT TO *CODE OF VIRGINIA* SECTION 2.1-344A1.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioners Hopkins and Murphy absent from the meeting.

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Commissioner Lusk MOVED THAT THE PUBLIC HEARING ON 2232-L04-5, T-MOBILE USA, BE DEFERRED TO A DATE CERTAIN OF JULY 14, 2004.

Commissioner Koch seconded the motion which carried unanimously with Commissioners Hopkins and Murphy absent from the meeting.

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Commissioner Lusk announced his intent to defer the public hearing on PCA 84-L-020-22, PCA 84-L-020-21, and FDPA 84-L-020-02-12, Wal-Mart Real Estate Business Trust, from May 27, 2004 to June 3, 2004.

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Commissioner Lawrence MOVED THAT THE PUBLIC HEARING ON RZ 2003-PR-026 AND PCA 76-P-118, ELM STREET DEVELOPMENT, AND RZ 2003-PR-013, JCE, INC., BE DEFERRED TO A DATE CERTAIN OF MAY 27, 2004.

Commissioner Lusk seconded the motion which carried unanimously with Commissioners Hopkins and Murphy absent from the meeting.

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FSA-H04-9-1 - OMNIPOINT (T-MOBILE), 12355 Sunrise Valley Drive

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION THAT THE MODIFICATIONS PROPOSED BY T-MOBILE FOR A TELECOMMUNICATIONS FACILITY AT 12355 SUNRISE VALLEY DRIVE ARE IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND CONSISTENT WITH THE PRIOR APPROVAL GRANTED BY THE PLANNING COMMISSION UNDER FS-H04-9-1 ON MARCH 25, 2004 AND THAT THE MODIFICATIONS BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*, AS AMENDED.

Commissioner Koch seconded the motion which carried unanimously with Commissioners Hopkins and Murphy absent from the meeting.

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RZ 2003-PR-043 - VAN METRE LAND LIMITED PARTNERSHIP

FDP 2003-PR-043 VAN METRE LAND LIMITED PARTNERSHIP (Decision Only)

(Public Hearing was held on April 29, 2004)

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ 2003-PR-043, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED MAY 20, 2004.

Commissioner Lusk seconded the motion which carried unanimously with Commissioners Hopkins and Murphy absent from the meeting.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2003-PR-043, SUBJECT TO THE BOARD'S APPROVAL OF RZ 2003-PR-043.

Commissioner Lusk seconded the motion which carried unanimously with Commissioners Hopkins and Murphy absent from the meeting.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD WAIVE THE 600 FOOT MAXIMUM LENGTH FOR PRIVATE STREETS.

Commissioner Lusk seconded the motion which carried unanimously with Commissioners Hopkins and Murphy absent from the meeting.

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ZONING ORDINANCE, SUBDIVISION ORDINANCE, AND PUBLIC FACILITIES MANUAL AMENDMENTS (Cluster Subdivisions) (Decision Only)

(Public Hearing was held on April 22, 2004)

Commissioner Wilson MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE THE PROPOSED ZONING ORDINANCE, SUBDIVISION ORDINANCE, AND PUBLIC FACILITIES MANUAL AMENDMENTS ON CLUSTER SUBDIVISIONS, AS ORIGINALLY SET FORTH IN THE STAFF RECOMMENDATION PRESENTED IN THE MARCH 29, 2004 STAFF REPORT, AND REVISED AS STATED IN THE MAY 18, 2004 REVISED STAFF RECOMMENDATION, AND AS FURTHER MODIFIED AS FOLLOWS:

A. DELETE ALL REFERENCES TO AND TEXT PROPOSED IN ALTERNATIVE B OF THE MAY 18 REVISED STAFF RECOMMENDATION.

B. DELETE ALL REFERENCES TO ALTERNATIVE A IN THE MAY 18 REVISED STAFF RECOMMENDATION, BUT NOT THE TEXT, EXCEPT AS MODIFIED BELOW.

C. DELETE THE NEW LANGUAGE PROPOSED BY STAFF IN THE MAY 18 REVISED STAFF RECOMMENDATION THAT ALLOWS THE BOARD TO REQUIRE LARGER LOT SIZES FOR TRANSITIONAL PURPOSES FOR CLUSTER SUBDIVISIONS SUBJECT TO THE SPECIAL EXCEPTION PROCESS IN THE R-C, R-E, R-1, R-3 AND R-4 DISTRICTS, BUT NOT OTHER TEXT, AS PRESENTED ON THE FOLLOWING PAGES:

PAGE 5	(LINES 42-45)
PAGE 6	(LINES 38-41)
PAGE 8	(LINES 6-9 AND 43-44)
PAGE 9	(LINES 1-2)
PAGE 10	(LINES 23-32)
PAGE 11	(LINES 23-32)
PAGE 17	(LINES 3-6)
PAGE 18	(LINES 18-21)
PAGE 22	(LINES 13-16)
PAGE 23	(LINES 28-31)

D. DELETE THE OPENING PHRASE "EXCEPT AS QUALIFIED BELOW," ON THE FOLLOWING PAGES:

PAGE 6	(LINE 32)
PAGE 8	(LINE 37)
PAGE 11	(LINE 17)
PAGE 18	(LINE 11)
PAGE 23	(LINE 21)

E. REVISE THE LANGUAGE ON MAXIMUM DENSITY IN SECTION 3-308(2) FOR CLUSTER SUBDIVISIONS IN THE R-3 DISTRICT (ON PAGE 19, LINES 12-15) TO READ AS FOLLOWS:

“CLUSTER SUBDIVISIONS: THREE DWELLING UNITS PER ACRE FOR CLUSTER SUBDIVISIONS APPROVED BY THE DIRECTOR IN ACCORDANCE WITH SECTION 2-421, OR THAT ARE THE RESULT OF A PROFFERED REZONING FROM A DISTRICT THAT ALLOWS LESS THAN THREE DWELLING UNITS PER ACRE; AND THREE DWELLING UNITS PER ACRE PLUS ONE ADDITIONAL BONUS DWELLING UNIT FOR CLUSTER SUBDIVISIONS APPROVED BY SPECIAL EXCEPTION.”

F. REVISE THE LANGUAGE ON MAXIMUM DENSITY IN SECTION 3-408(2) FOR CLUSTER SUBDIVISIONS IN THE R-4 DISTRICT (PAGE 24, LINES 22-26) TO READ AS FOLLOWS:

“CLUSTER SUBDIVISIONS: FOUR DWELLING UNITS PER ACRE FOR CLUSTER SUBDIVISIONS APPROVED BY THE DIRECTOR IN ACCORDANCE WITH SECTION 2-421, OR THAT ARE THE RESULT OF A PROFFERED REZONING FROM A DISTRICT THAT ALLOWS A PERMITTED MAXIMUM DENSITY OF LESS THAN FOUR DWELLING UNITS PER ACRE; FOUR DWELLING UNITS PER ACRE PLUS ONE ADDITIONAL BONUS DWELLING UNIT FOR CLUSTER SUBDIVISIONS APPROVED BY SPECIAL EXCEPTION.”

THESE AMENDMENTS SHALL GO INTO EFFECT AT 12:01 A.M. ON JULY 1, 2004.

Commissioner Lusk seconded the motion which carried unanimously with Commissioners Hopkins and Murphy absent from the meeting.

Commissioner Hall MOVED THAT THE MOTION BE MODIFIED TO DELETE THE REFERENCES TO PAGES AND LINES.

The amendment was accepted by Commissioner Wilson and the seconder of the original motion and the motion, as amended, carried unanimously with Commissioners Hopkins and Murphy absent from the meeting.

Commissioner Wilson FURTHER MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD THAT IT DIRECT THE STAFF TO CONDUCT AN ANNUAL ANALYSIS OF THE EFFECTIVENESS OF THE CLUSTER SUBDIVISION AMENDMENTS MADE IN THIS PROPOSAL ON ALL CLUSTER SUBDIVISION APPLICATIONS FILED IN THE R-C, R-E, AND R-1 THROUGH R-4 DISTRICTS FOR UP TO TWO YEARS AND TO PRESENT FINDINGS AT THE END OF EACH YEAR BASED ON EACH ANNUAL ANALYSIS TO THE PLANNING COMMISSION AND TO THE BOARD OF SUPERVISORS FOR THEIR CONSIDERATION AS TO WHETHER ANY FURTHER AMENDMENTS OR MODIFICATIONS TO THE CLUSTER SUBDIVISION PROVISIONS IN THE ZONING ORDINANCE, THE SUBDIVISION ORDINANCE, AND THE PUBLIC FACILITIES MANUAL ARE WARRANTED.

Commissioners Hall and Lusk seconded the motion which carried unanimously with Commissioners Hopkins and Murphy absent from the meeting.

PUBLIC FACILITIES MANUAL AMENDMENTS - Temporary Signs, Traffic Calming, Dam Safety Regulations, Underground Detention Facilities, and Percolation Trenches

Commissioner Alcorn MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS OF THE PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL REGARDING POSTING SIGNS IN TEMPORARY CUL-DE-SACS, TRAFFIC CALMING AND CUT THROUGH MEASURES, VIRGINIA DAM SAFETY REGULATIONS, UNDERGROUND DETENTION FACILITIES, AND PERCOLATION TRENCHES, AS CONTAINED IN THE STAFF REPORT DATED APRIL 26, 2004.

Commissioners Hall and de la Fe seconded the motion which carried unanimously with Commissioner Wilson not present for the vote; Commissioners Hopkins and Murphy absent from the meeting.

Commissioner Alcorn ALSO MOVED A FOLLOW-ON MOTION THAT THE PLANNING COMMISSION REQUEST STAFF TO REVIEW THE COMPREHENSIVE PLAN AND THE ZONING ORDINANCE FOR POSSIBLE REVISIONS RELATING TO THE UNDERGROUNDING OF STORMWATER DETENTION FACILITIES IN RESIDENTIAL DEVELOPMENTS IN CONJUNCTION WITH FUTURE STUDIES AND AMENDMENTS TO THE COMPREHENSIVE PLAN AND THE ZONING ORDINANCE.

Commissioners Hall and de la Fe seconded the motion which carried unanimously with Commissioner Wilson not present for the vote; Commissioners Hopkins and Murphy absent from the meeting.

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The meeting was adjourned at 8:57 p.m.
Peter F. Murphy, Jr., Chairman